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Gorbachev's Reform of the State Institutions: Toward a Parliamentary System?

A Research Paper

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A Research Paper

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Gorbachev's Reform of the State Institutions: Toward a Parliamentary System?

Summary

Information available as of 22 March 1989 was used in this report.

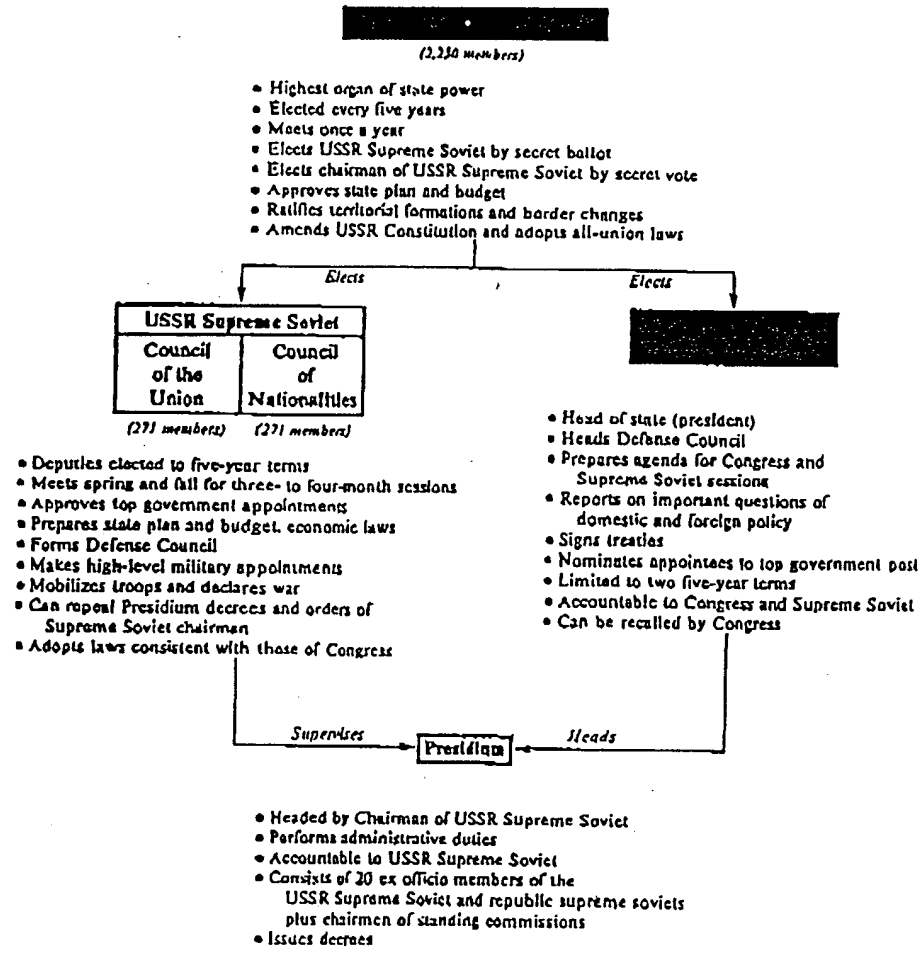
During spring 1989 the USSR will begin putting in place new state legislative and executive institutions that could radically transform the Soviet political system. A new 2,250-member USSR Congress of People's Deputies will be elected by popular vote on 26 March and is reportedly scheduled to convene in late April. It will choose from its membership the first standing parliament in Soviet history and will almost certainly reelect General Secretary Mikhail Gorbachev as the nation's president by choosing him to be the first chairman of the 542-member USSR Supreme Soviet—a post that will carry considerably more executive authority than the old, largely ceremonial post of chairman of the USSR Supreme Soviet Presidium (see figure 1)

Since Stalin's time the party has used the state system to provide a veneer of legitimacy for its policy decisions and to mobilize mass participation in the political system. Gorbachev has evidently decided that the old state institutions are incompatible with his reform campaign. His overhaul of the state system is intended to advance several strategic objectives:

- Gorbachev wants to institutionalize *perestroyka* by creating state bodies capable of effectively reviewing the party's policy suggestions and more tightly monitoring the government bureaucracy's administration of them.
- He also wants to establish constitutional limits on the exercise of power by instituting a system of "socialist checks and balances" designed to increase the accountability of both elected and appointed officials.
- Gorbachev hopes that new electoral reforms will invigorate and build legitimacy for the political system by increasing popular participation in state affairs and making state representatives more responsive to public opinion

Gorbachev's reform also serves his tactical interests and his clearest personal political gain from the new state structure is a strengthened presidency, which previously was almost entirely a ceremonial post. He no doubt expects that by upgrading the presidency he will enhance his own power vis-a-vis the Politburo, gain a measure of popular legitimacy, and acquire a potential base of power outside the party apparatus. Although the position may not be as strong as he would like, Gorbachev has created a post from which he may be able to circumvent the Central Committee and bring popular pressure to bear on party officials who are thwarting his reform initiatives.

Figure 1
New National State Structure



Gorbachev has set limits to his state reform campaign. He does not intend to reduce the party's leading role in guiding policy decisions, and he has no intention of permitting the emergence of opposition parties. Moreover, he does not want to empower the new state institutions or the Soviet electorate in a way that frustrates his own policies or jeopardizes his political position.

Although Gorbachev won a major victory in securing party approval for new laws designed to meet his goals, there is considerable evidence that important compromises were made along the way. Many uncertainties remain, moreover, about how the revamped state system will work in practice. At the national level, orthodox party members and political reformers continue to struggle over three key issues. Both groups fear that Gorbachev's proposals to upgrade the presidency could lead again to one-man rule. Party traditionalists also fear that the creation of a streamlined Supreme Soviet signals a move toward a "Western-style democracy," while reformers are concerned that the new scheme will permit the traditional political establishment to dominate state representative institutions. Finally, the party orthodox are apprehensive that electoral reform will threaten their positions throughout the political system, while reformers intend to press their campaign to close legal loopholes that permit central and regional party officials to manipulate the process and protect their own interests.

The current election campaign to elect deputies to the Congress of People's Deputies has revealed the dilemma facing Gorbachev as he tries to open up the system to input from previously unrepresented groups while also attempting to avoid a substantial erosion of the party's leading role in decisionmaking. The party's effort to pursue the contradictory goals of trying to control the election process from above while encouraging democratic participation from below illustrates a tension over political reform that may well emerge again as the state restructuring scheme unfolds. On the one hand, traditional heavyhanded orchestration of the elections has been much in evidence as the party has moved to protect its top national and regional officials from electoral competition. On the other hand, the current campaign has opened up unprecedented opportunities for citizen participation. In particular, the relaxation of central control has been felt most strongly in the Baltic republics, where nationalist groups have been permitted to back candidates against many republic officials.

The internal structure and procedures of the new bicameral Supreme Soviet are still being worked out, and Gorbachev has not been clear about how far he actually wants to go in reforming the state institutions. His silence may be tactical: by waiting until the opening of the party conference last June to announce specific proposals overhauling the state system, Gorbachev gave his potential opponents little time to organize resistance. But he also may be uncertain about the exact role that the new system should play in counterbalancing the party apparatus and government bureaucracy.

One of the most important uncertainties concerns the role of nationality groups in the new representative institutions. Gorbachev and his reform-minded allies hope that the new state machinery will create an effective safety valve for the release of nationalist frustrations and help in building a consensus for nationality policy decisions. As in the old system, one house of the new Supreme Soviet—the Soviet of Nationalities—will be composed of deputies from national-territorial units, but it is now constitutionally responsible for interethnic issues and could assume more significance if the state system itself acquires greater authority. Yet Gorbachev cannot afford to allow the representative bodies to become vehicles for a challenge to the center's control over the periphery or to the party's hold on political power.

Whether state institutions remain largely ceremonial, rubberstamp bodies or become genuine legislative and executive organs will continue to depend, as in the past, on the willingness and ability of the political leadership to bring about these changes. Previous efforts at invigorating the state system failed because the leadership lacked the political will to carry out a reform that could have undermined the power of the party and their own positions. As the new system gets organized in the coming months and both proponents and opponents of the reforms try to shape them to serve their interests, we will have a series of opportunities to judge if the new system will have any effective power:

- The definition of the president's role vis-a-vis the Supreme Soviet will indicate whether the new system will be more independent and democratic or whether it will be dominated by the chief executive and become just another weapon in Gorbachev's political arsenal.

- The duration and nature of sessions of the Supreme Soviet—whether it sits continuously for six to eight months a year, for example, or whether its two houses deliberate independently or jointly—will help determine what institutional weight it will have in the political system.
- The degree of professionalization of Supreme Soviet deputies and staff—especially if they become full-time salaried legislators—will also lay the groundwork for how much independence the new representative body will be able to assert.
- The responsibilities and composition of the standing commissions and their staffs will start to establish what authority the Supreme Soviet will have in relation to the party apparatus and the government bureaucracy.

The center of decisionmaking is almost certain to remain in the Politburo, and the new state structure is likely to have only as much power and influence as Gorbachev can bring with him. But, if Gorbachev is able to draw the Supreme Soviet increasingly into the review of policy recommendations as a way of putting pressure on the Politburo or of bypassing the party apparatus, the state system could in time amass considerable political clout, especially over the government ministries. The new system, at least initially, will not work in the way Western parliamentary systems operate, but it might constitute a nucleus from which a more pluralistic political system could grow and a significant redistribution of power at the political center could take place.

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Introduction

Today we must have the courage to admit: If the political system remains immobile without change, then we will not cope with the tasks of restructuring.

General Secretary Gorbachev

Since Lenin's time, the Soviet political system has allowed little opportunity for citizens and groups other than the Communist Party to participate in political decision making. Successive Soviet constitutions elaborated a complex system of popularly elected representative state institutions that purported to write the laws of the land. But, in reality, any meaningful legislative and executive powers were exercised by a small circle of men in the leadership bodies of the Communist Party. The state institutions were intended to provide a veneer of legitimacy for the party's decisions and to mobilize mass participation in the political system. Although efforts were periodically made to invigorate the state institutions, the party leadership never had any meaningful intention of giving these bodies real decisionmaking authority on matters of political importance. Without a willingness to give up some of its power, the party's pledge to "perfect socialist democracy" produced little more than cosmetic changes in the political system.

General Secretary Mikhail Gorbachev is the first party leader in Soviet history who has tried seriously to limit the party's involvement in Soviet life. In an effort to infuse the political system with vitality and create a political environment conducive to his economic reforms, Gorbachev has launched a comprehensive program of political restructuring. He has made it clear that he will not abandon the one-party system or diminish the party's "leading role," but he does want to redefine the party's relationship to state, government, and economic bodies. To legitimize his new system, Gorbachev also wants to open up the political process to participation by groups and individuals previously unrepresented by the party.

A key part of Gorbachev's political restructuring program is the effort to breathe life into the state institutions and promote real—rather than ritualistic—citizen participation in them. In June 1988 Gorbachev won a major victory in this effort when the 19th party conference set in motion the most sweeping restructuring of the state system since Stalin's time. Following Gorbachev's lead, the conference approved reforms that could transform the largely ceremonial state institutions into powerful decisionmaking organs:

- The presidency—which Gorbachev assumed in October 1988—is being given considerably more executive authority.
- The 1,500-member Supreme Soviet, which previously met semiannually for brief sessions, is being transformed into a 542-member parliament sitting spring and fall for sessions of three to four months.
- A new 2,250-member Congress of People's Deputies is replacing the Supreme Soviet as the country's theoretically highest state authority.

These reforms were enacted into law in December when the USSR Supreme Soviet, after a month of public debate, approved a number of amendments to the USSR Constitution. The Supreme Soviet also passed a new law on state elections designed to increase citizen participation in choosing the pool of candidates for the new Congress.

The Supreme Soviet's actions set the stage for a complete overhaul of the state system in 1989. According to the officially approved timetable:

- The top state institutions will be reformed in spring 1989. In March, Soviet voters will elect the Congress of People's Deputies, which reportedly will convene on 24 April to form the Supreme Soviet and elect the president. The Supreme Soviet itself reportedly will begin work on 19 May.

- In the early fall the 15 union republics and 20 autonomous republics will elect their own congresses and supreme soviets modeled on the new national-state structure.

The State System Gorbachev Inherited

The basic unit of the state structure is a popularly elected council called a soviet of people's deputies. According to the USSR Constitution of 1977, the soviets are the country's political foundation. Overall there are almost 53,000 soviets, together forming a complex hierarchy with three main levels.

USSR Supreme Soviet. At the top of the pyramid is the USSR Supreme Soviet, which consists of 1,500 deputies directly elected by popular vote every five years and divided equally between two houses. Deputies to the Soviet of the Union are elected from districts based on equal numbers of voters. Deputies to the Soviet of Nationalities are chosen on the basis of such national-territorial components as union republics and autonomous republics. Both houses must approve legislation before it becomes law. As the highest body of state authority, the Supreme Soviet is constitutionally empowered to deal with issues affecting the entire USSR, such as amending the Constitution, ratifying territorial formations and border changes, approving state plans and budgets, and enacting all-union legislation. The Supreme Soviet usually meets twice a year for brief sessions, commonly lasting two to three days.

Between sessions a 39-member Presidium functions as the main state legislative and administrative body. The full Presidium routinely meets every two months but often convenes more frequently to deal with pressing issues. The chairman of the Presidium—who is elected by the Supreme Soviet—is technically the USSR head of state, or president. He customarily presides over sessions of the Supreme Soviet, signs legislation, dispatches ambassadors, receives the credentials of foreign ambassadors, and issues pardons.

The Presidium also supervises the work of 17 standing commissions, which formally review and prepare legislation for the Supreme Soviet's consideration. Commissions typically have 35 members and meet twice a year, although smaller subcommittees convene more frequently.

Republic Supreme Soviets. Each of the 15 union republics and 20 autonomous republics has a unicameral supreme soviet that possesses the legal right to initiate legislation and decide state and governmental issues affecting its territory. Like the USSR Supreme Soviet, republic supreme soviets meet infrequently and have presidiums that handle most legislative and administrative work

Local Soviets. At the base of the state hierarchy are more than 52,000 soviets organized in villages, towns, cities, districts, and regions. Subordinate to the republic supreme soviets and the USSR Supreme Soviet, they are formally responsible for supervising the economic plan in their areas, directing agricultural and industrial development, and overseeing the development of housing, health, educational, and other services. Local soviets can have between 25 and 500 deputies, who are elected for 30-month terms. Since they meet infrequently—four to six times a year—the handling of day-to-day business is done by appointed executive committees and standing commissions. Like Supreme Soviet deputies, elected members of local soviets receive no remuneration for their work except for costs associated with attending meetings and performing their duties.

- In the late fall local soviets throughout the Soviet Union will be elected after the adoption of new legislation—a proposed law on local management and self-government—aimed at increasing their authority to manage local affairs.

The Old Supreme Soviet—Party Control and Bureaucratic Domination

Created by Stalin in 1936 to give the totalitarian state an appearance of having a representative lawmaking body, the USSR Supreme Soviet has functioned for more than 50 years as little more than a rubberstamp for decisions of the Communist Party. The party regulates the state system by dominating the election process and ensuring the approval of key personnel. Although the party contains less than 7 percent of the USSR's population, its representation in the Supreme Soviet has never been less than 71 percent of the total membership. All 20 of the current full and candidate Politburo members are deputies. On average, 85 percent of the party's Central Committee is elected to the Supreme Soviet. These key members are generally unaffected by the high turnover rate in Supreme Soviet membership—58 percent of the deputies were elected for the first time in 1984—and so constitute a reliable core of supporters for party decisions. Moreover, top party officials are strategically placed within the Supreme Soviet's Presidium and as chairmen of its 17 standing commissions.

By closely monitoring an election process that permits only one candidate for each of the 1,500 electoral districts, the party carefully determines the composition of the Supreme Soviet's membership and thereby fosters the image of a representative body of workers and average citizens deciding the highest matters of state. According to official Soviet calculations, of the current deputies 35 percent are workers and 16 percent are collective farmers

The Supreme Soviet—with its infrequent sessions and small support staff—has also proved no match for the permanent government bureaucracies. Under the constitution, the USSR Council of Ministers is the highest organ of state administration. It possesses its own legislative and executive authority—embracing regulation of the economy, public order, foreign relations, and defense matters—and can pass laws independently of the Supreme Soviet. When they do act jointly, the Supreme Soviet customarily approves laws without much critical discussion. Because the Supreme Soviet is theoretically responsible for preventing the passage of unconstitutional legislation, the Presidium is authorized to repeal any ministerial decree that violates the constitution. In practice, however, the Council of Ministers has rarely been challenged.

A major additional obstacle inhibiting the Supreme Soviet from exercising a watchdog role over the government is the presence in the membership of a large number of bureaucrats, who are unlikely to vote against their own interests. In 1984, 107 top officials of the USSR Council of Ministers and republic councils of ministers were elected to the Supreme Soviet. Upward of 70 percent of the membership of certain standing commissions is composed of deputies employed in the governmental institutions that the Supreme Soviet theoretically supervises.

As part of Gorbachev's political reform campaign, the media has pointedly revealed the impotence of the state institutions. An article in *Pravda* in June 1988 acknowledged widespread public indifference toward the Supreme Soviet's "formalism and ossified traditions" and detailed many of its shortcomings:

- Sessions are tightly scripted. A Presidium member admitted that Supreme Soviet deputies examine questions prepared in advance by the executive apparatus and already decided by the party or government.

- Sessions are too short and conducted too hastily to allow for serious deliberation. A deputy from the Yakutsk ASSR complained that only 23 speakers and three hours were allotted for discussion of the controversial and complex Law on Cooperatives. Even this exceeded the amount of Supreme Soviet discussion traditionally given to pending legislation.

From Lenin to Stalin: The Emasculation of the Soviets

The roots of the current system of soviets lie in the early days of the Soviet Government. In 1917 local soviets sprang up in major Russian cities as revolutionary councils of workers and played a decisive role in helping the Bolsheviks attain power. Under the famous slogan "All power to the soviets!" Lenin encouraged them as the main governmental system for the "dictatorship of the proletariat." The first Soviet constitutions invested supreme state authority in the Congress of Soviets, an unwieldy body made up of representatives elected by local soviets. To act as its proxy between sessions, the Congress elected a smaller Central Executive Committee, which also assumed legislative powers. In turn, the work of the Central Executive Committee was guided by a presidium of between 15 and 27 members.

Originally the soviets had a multiparty character, but they eventually came under the complete control of the Bolsheviks. Lenin effectively regulated the soviets by placing party members on their executive committees, and Stalin established permanent party offices on every level of the administrative system. By the early 1930s the soviets were firmly yoked to the party's goal of building "socialism in one country."

In 1936 Stalin introduced a new constitution that radically reshaped the state structure and instituted the system currently in place. At the national level, the Central Executive Committee was abolished and the indirectly elected Congress of Soviets was replaced by a directly elected Supreme Soviet. At the local level, soviets based on workplaces or by professions were replaced by territorial soviets. In addition, Stalin's constitution introduced the principle of dual subordination: soviets and their executive committees were made accountable to the state institutions and government bureaucracies above them in the political system.

- Speakers rarely criticize proposed legislation and instead flatter ministries in hopes of receiving support for projects benefiting their constituencies.

- Deputies are passive in asserting their rights. Only twice in the current Supreme Soviet—elected in 1984—have the deputies posed a "question," a nonbinding recommendation on a law under consideration, although before Gorbachev a "question" was even rarer. One deputy contrasted the situation to the US Congress, which routinely makes numerous amendments to bills before they are passed.

- The facilities hinder debate. Georgian president Gilashvili noted that only Russian is used at Supreme Soviet meetings and that the lack of translators prevents speakers from using their native languages.

- Voting is public and almost always unanimous. A Latvian deputy stated that voting was so ritualistic that her abstentions were not even noticed. She wondered why the system wastes money on a purely formal exercise.

Indeed, [redacted] Soviet citizens are extraordinarily cynical about the functioning of formal Soviet institutions. They view elections as a sham and regard their obligatory participation in them as insulting. [redacted] many in the Soviet elite believe that this high degree of citizen alienation from the political process has negative implications for the long-term vitality of the system and deprives the regime of the ideas and energy of many talented people, leading to institutional petrification.

Gorbachev's Purposes

When he first came to power, Gorbachev seemed content to maintain the pretense that the existing Supreme Soviet was a democratic, lawmaking institution, and he showed no inclination to give the state

system any real power. As Brezhnev had done in 1965, Gorbachev in 1985 stripped a powerful colleague—Andrey Gromyko—of most of his powers by maneuvering him into taking the leading Presidium position. At the time Gorbachev intended to consolidate his position and promote his programs by relying on the traditional power base of past General Secretaries: the party apparatus.

It became increasingly apparent, however, that resistance to Gorbachev and his reform agenda was strong within the party apparatus. The weakness of his support in the Central Committee undoubtedly made the idea of strengthening state institutions attractive. Gorbachev's statements and actions over the last two years reflect his increasing frustration with the party bureaucracy. This frustration culminated in late 1988 in a full-scale reorganization of the Secretariat and Central Committee departments that substantially reduced the party bureaucracy's size and functions. These actions were clearly designed to supplement the upgrading of the state bodies and make it easier to use the new representative institutions to circumvent opposition to Gorbachev's policies.

By strengthening the presidency, Gorbachev has also created a post that will enhance his personal power vis-a-vis the Politburo and the Central Committee. As president he will be formally accountable to the Congress rather than to the Politburo, which over time may come to provide him with at least marginally enhanced protection from a Politburo-based move against him.

In addition to these immediate objectives relating to the political struggle over his effort to consolidate personal power and win approval for his overall reform program, Gorbachev also appears to have several longer term strategic goals. In a series of public statements going back to the January 1987 Central Committee plenum, Gorbachev has outlined a plan to reorganize the entire Soviet polity. In what appears to be his ideal model, he hopes to rationalize the political system by limiting the major elements to clear roles: the party will consider and propose policy, the state institutions will review and authorize it, and the government bureaucracies will carry it out. He intends to align formal power with real power and end the fiction whereby state institutions do not exercise in practice the powers they possess in theory. Moreover, he reportedly wants to establish constitutional limits on the exercise of power by instituting a system of "socialist checks and balances" designed to increase the accountability of both elected and appointed officials and prevent abuses of power.

His declared aim is not to remove the party from policy formulation, but to end its heavy hand in micromanaging state affairs, particularly the economy. In the economic sphere he also wants to weaken the government bureaucracy's role. At the party conference last June, he blamed the "ossified system of power" and the "command-pressure structure" for the problems confronting Soviet society. Finally, he wants to make the political system more dynamic by broadening the arena of political discussion so that concerned groups may have some input into policy formulation affecting their interests, and so that a narrow circle of officials cannot make major decisions without some oversight, as reportedly was the case in the decision to invade Afghanistan.

Gorbachev hopes that electoral reforms that genuinely increase popular participation in political life will give the political system a degree of legitimacy that the old system of formalistic voting never provided. He also hopes that electoral reform will create a more professional class of state officials, who are elected on the basis of merit and not on a quota system.

The extent to which these strategic goals are compatible with Gorbachev's tactical goals is unclear. On one hand, Gorbachev as president can personally lead the reform of state institutions, using the political capital he has accumulated as General Secretary to push for strong legislative machinery. On the other hand, Gorbachev's dual appointment as president and General Secretary appears to belie the independence of the state structure from the party. Whether this will handicap the new state institutions as they seek to establish legitimate authority on their own will be a key issue in the future.

Likewise, in assessing Gorbachev's strategic goals, it is important to note that he has set clear limits to the amount of "democratization" he will allow. He does not intend for his restructuring program to reduce the party's role in guiding the political system. The constitutional amendments passed by the Supreme Soviet do not affect clauses dealing with the party's leading role in formulating policy. Gorbachev has publicly declared on several occasions that his reforms are not meant to pave the way for the emergence of opposition parties.

As with his larger "democratization" campaign, in revitalizing state institutions Gorbachev is grappling with how to reconcile the objective of making the system more open and dynamic with the goals of maintaining the one-party system and enhancing his own political power. He does not want to empower the Soviet population in a way that frustrates his own policies or jeopardizes the ability of the party to maintain its leading political role.

Gorbachev's Campaign

The decision to start the reform of the state structure at the top sets Gorbachev apart from his predecessors. Since Stalin's death, the regime has periodically declared that the weakness of the state institutions is harmful to the political system and an obstacle to economic development, but previous attempts at change have focused on the base of the state hierarchy. In 1957 and 1961 Khrushchev persuaded the party to endorse measures aimed at strengthening local soviets. Similar calls were made under Brezhnev and his successors. These efforts were unsuccessful, mostly because the leadership lacked the political will to carry out a reform that could have undermined the power of the party and its own position.

Gorbachev too began discussing state reform by endorsing efforts to enhance the power of local soviets but soon moved toward suggesting a wider systemic restructuring. At the January 1987 Central Committee plenum, when he launched his program for "democratization" of the political system, Gorbachev backed more democratic elections to local soviets and urged the preparation of a draft law on electoral reform, but he offered no specific proposals regarding the soviets themselves and simply suggested using Lenin's legacy in state development to solve the problems of enhancing their powers.

The Party Conference—Blueprint for Political Reform

By early 1988, Gorbachev had evidently decided to use the 19th party conference scheduled for June 1988 to propose a radical restructuring of the national state institutions, although his public statements barely hinted at the sweeping nature of his plans:

- At the February 1988 plenum he recommended reforming the state system and made his first public call for reconsidering the activity of the Supreme Soviet and making it more effective.

- In March [redacted] told [redacted] that Anatoliy Luk'yanov—an experienced former Supreme Soviet official who was then party secretary for security and legal issues—was working with Gorbachev on constitutional changes that would extend the powers of the soviets at all levels, including the Supreme Soviet.

- In mid-April Gorbachev quietly lobbied regional party officials on what would be the most controversial of his proposals—that party first secretaries at all levels of the political system also serve as chairmen of their corresponding soviets.

- In May the Central Committee approved and published for public discussion "Theses" that expanded on Gorbachev's February call for reconsidering the work of the national state institutions. They recommended enhancing the power of the Supreme Soviet—using the Leninist period as a model—and proposed a handful of possible ideas for discussion, including increasing the duration of the Supreme Soviet's sessions, demarcating the functions of the Soviet of the Union and the Soviet of Nationalities, and permitting public organizations to elect deputies. However, they did not include many of the specific—and most controversial—proposals that Gorbachev would advance at the conference.

Chronology of Events, 1988

17 February	*Gorbachev makes first public call for reforming the Supreme Soviet.*
24 May	*Theses for 19th party conference suggest proposals for reforming the Supreme Soviet.*
28 June	*At the party conference Gorbachev proposes radical restructuring of the state system, including strengthening the presidency and transforming the Supreme Soviet into a standing parliament.*
1 July	*Party conference resolution on political reform endorses most of Gorbachev's proposals.*
29 July	*Central Committee plenum sets timetable for enacting Gorbachev's state reform program.*
1 October	*Gorbachev assumes presidency with retirement of Andrey Gromyko; Luk'yanov becomes vice president.*
17 October	*Gorbachev's commission finalizes draft laws.*
22-23 October	*Draft constitutional amendments and law on state elections published for public discussion.*
8 November	*Popular fronts of Estonia, Latvia, and Lithuania jointly call for rejection of draft laws.*
11-13 November	*Politburo members Chebrikov, Medvedev, and Slyun'kov travel to Baltic republics to attempt to head off challenge over draft laws.*
16 November	*Estonian Supreme Soviet rejects draft constitutional amendments and asserts republic's sovereignty.*
18-24 November	*Latvian, Lithuanian, Georgian, and Armenian Supreme Soviets criticize draft laws.*
24 November	*Politburo approves revisions in draft laws.*
26 November	*Presidium rejects actions of Estonian Supreme Soviet as unconstitutional.*
28 November	*Central Committee plenum approves revised draft laws.*
29 November–1 December	*USSR Supreme Soviet debates draft laws; constitutional amendment passes, 1,344 to 5, with 27 abstentions; law on state elections passes unanimously.*
26 December	*Nominations for 26 March 1989 general election to Congress of People's Deputies begin.*

Gorbachev's relative silence concerning the Supreme Soviet and the presidency was at least in part tactical, but may also indicate that the details of his proposals were still being worked out. Gorbachev had briefed top regional party officials in advance because he needed their support for the proposal that first secretaries also serve as soviet chairmen. But he evidently decided to keep many other details secret in order to avert organized opposition in the Central Committee. However, some evidence indicates that Gorbachev had not yet completed his plans by mid-May and may still have been making changes on the eve of the conference in order to preempt potential critics.

While Gorbachev apparently kept parts of his plan to reform the state system from the full Central Committee, he evidently used articles in the press to float several ideas as trial ballons. In the weeks before the party conference, Soviet newspapers and journals harshly criticized the soviets and the electoral system, which one writer called "a shell which has substituted for genuine democracy," and proposed numerous specific remedies, including the adoption of elements of Western parliamentary government. The debate opened shortly before the February plenum, when *Izvestiya* published an interview with Boris Kurashvili—a reformist legal expert at the State and Law Institute of the Academy of Sciences—who offered specific proposals for restructuring the Supreme Soviet that were later reflected in Gorbachev's scheme. It reached its high point in mid-June, when *Literaturnaya gazeta* carried an article entitled "On Soviet Parliamentarianism," written by prominent political commentator and unofficial Gorbachev adviser Fedor Burlatskiy, who later said [redacted] that he coauthored the piece with Georgiy Shakhnazarov—a prominent reformist theoretician and Gorbachev aide—and Luk'yanov. In the article Burlatskiy:

- Directly criticized the mechanism whereby the Politburo, by electing the General Secretary, in effect chooses the national leader.
- Suggested combining the posts of party leader and head of state by having the General Secretary run for president in a direct nationwide secret ballot.
- Proposed strengthening the president's powers.
- Called for transforming the Supreme Soviet into a small permanent parliament.

Gorbachev surprised many—including members of the Central Committee—when his opening address at the party conference offered detailed proposals for a radical restructuring of the national state institutions. The theses had anticipated such political reform proposals as reducing the party's role in economic policy making, enhancing the power of local soviets, and reforming the electoral system. But many delegates were caught unawares by Gorbachev's call to strengthen the presidency, transform the Supreme Soviet into a small indirectly elected standing parliament, and create an entirely new Congress of People's Deputies. Gorbachev's proposal that party first secretaries chair their corresponding soviets was especially startling to the majority of delegates. Former Moscow party chief Boris Yel'tsin complained that the notion was unexpected and was applauded when he called for a nationwide referendum on the issue.

Despite considerable skepticism in the party about the merit of some of these proposals, Gorbachev was able to secure approval for almost all of his political reforms by stacking the speakers list with sympathetic supporters and chairing the commission responsible for drafting the conference's resolutions on political reform and democratization. Gorbachev suffered one setback when the political reform resolution did not include his proposed list of presidential powers, but in other cases—such as electoral reform and safeguards against abuses of power—the delegates endorsed even more reformist proposals, including multicandidate elections and limitations of two consecutive five-year terms for state officials. During debate on the resolution, Gorbachev had to weather a separate vote on his proposal to have party first secretaries serve as soviet chairman—209 of the 4,900 delegates voted against the idea—and he had to beat back a call for a separate vote on whether the general secretary should be elected president.

Although the party conference endorsed numerous proposals for enhancing the power of local soviets, Gorbachev subsequently focused his attention on securing legal enactment of his plans for restructuring the national state institutions. A Central Committee

plenum in July adopted a timetable that called for a party commission on political reform—chaired by Gorbachev—to draft the constitutional and legal changes necessary for restructuring the national state system and to publish them for nationwide discussion in October. It also announced that a plenum would meet in November to approve the final form of the draft laws, which would then be submitted for final enactment by the Supreme Soviet.

Resistance at the Top?

Gorbachev's efforts to finish the details of his proposals probably encountered resistance within the top Soviet leadership and played a role in the shakeup at the September 1988 plenum. Although the Politburo almost certainly had approved at least the broad outline of Gorbachev's plan by mid-April, several leaders—particularly Andrey Gromyko, whose post as president was now jeopardized—may have had second thoughts as the time for actual implementation neared. Some evidence suggests that Gromyko's reservations about the shape of the restructuring may have played a role in his retirement from the Politburo on 30 September and from the presidency on 1 October. In his resignation speech before the Supreme Soviet, Gromyko intimated that his departure was not entirely voluntary.

The attitudes of other Politburo members to the state restructuring plan are difficult to discern. Most members of the leadership publicly supported the decisions of the June party conference, but they made virtually no mention of the proposed state institutions, indicating, perhaps, that they had reservations about the scheme. In his first major speech after the party conference, then "Second Secretary" Yegor Ligachev praised the political restructuring plan in general terms but repeatedly stressed the limits of political reform. In an oblique reference to Gorbachev's argument that narrowing party functions and strengthening state institutions are necessary for the success of economic reform, Ligachev warned that "delimiting the functions of the party and the state does not mean separating politics from economics." Moscow party leader Lev Zaykov also made public statements pointing out the limits to political reform. He told *Pravda*, for example, that "some people" interpret the party conference decisions "too broadly . . . even arbitrarily." Zaykov did not address the reform of state institutions directly, however. In the late summer then party ideology chief Aleksandr Yakovlev told a party meeting in Riga that he favored shifting substantial decisionmaking authority from the Central Committee to the new Supreme Soviet.

The leadership shakeup in September improved Gorbachev's chances of ensuring that the new state institutions would be created and implemented on his terms. By assuming the presidency on 1 October, Gorbachev made a dead issue of whether the top party leader should be head of state. As Presidium chairman, he now had the formal authority with which to dominate deliberation of his proposals within the Supreme Soviet. He further bolstered his position by promoting Luk'yanov—who was already serving on the commission drawing up the draft laws—to candidate Politburo membership and moving him from the Secretariat into the Supreme Soviet as vice president. With candidate Politburo member and cadres secretary Georgiy Razumovskiy—a strong Gorbachev ally—already chairing the Supreme Soviet's Legislative Proposals Commission, Gorbachev was now firmly in control of the process of shaping the legislation required for enacting his proposals.

New Laws

The leadership changes evidently helped Gorbachev overcome the remaining resistance to the major elements of his political restructuring scheme. The two draft laws—one containing constitutional amendments, the other a new law on state elections—that Gorbachev's commission finalized in mid-October and published for nationwide discussion recapitulated almost entirely the proposals that Gorbachev had made in his opening address at the June party conference, including ones that he had not managed to get endorsed in the conference's resolution on political reform. Most notably, the draft constitutional amendments contained Gorbachev's proposed list of presidential powers, although with one significant difference. In June, Gorbachev had suggested that the

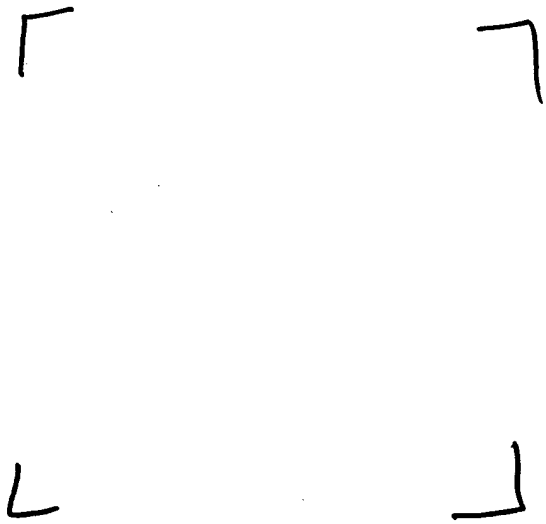


Figure 2. Political reform—Gorbachev style

president have the authority to "decide" key issues of foreign policy, defense, and national security, but the draft law stipulated only that the president "reports" on such matters.

The nationwide discussion of the draft laws generated considerable debate over the details of the new system, particularly concerning the distribution of power between Moscow and the republics. Evidently suprised at the outpouring of emotion over this issue—especially in the Baltic republics—Gorbachev agreed to a number of changes in the draft laws designed to mollify nationalist critics. However, most of these compromises did not affect the main elements of his restructuring scheme, and on 1 December 1988—after three days of often sharp debate—the Supreme Soviet enacted them into law

The New State Structure

An Upgraded Presidency

Gorbachev's clearest personal political gain from his reform of the state system is a strengthened presidency. Under the previous constitutional arrangement, the president enjoyed no more legal authority than any other member of the Presidium. The post was largely ceremonial, and no party chief felt the need to hold it until Brezhnev became president in 1977. Gorbachev's scheme transforms the president from being first among equal Presidium members into an executive leader of the full Supreme Soviet with constitutional authority in both domestic and foreign affairs. The constitution now calls the president "the highest official of the Soviet state" and gives him the power to:

- Prepare the agenda for sessions of the Congress and Supreme Soviet.
- Sign legislation.
- Submit reports on key domestic and foreign policy questions.
- Nominate appointees to top-level government jobs, including the posts of premier, prosecutor general, and Supreme Court chairman.
- Recommend appointments to the new Constitutional Oversight Committee.
- Chair the Defense Council.
- Conduct negotiations and sign international treaties.

The new office will have some constitutional restraints on it. Gorbachev himself proposed several limitations at the party conference, arguing that safeguards were necessary to circumscribe the president's power. Under the new arrangement, the president is elected to a five-year term by secret ballot by the Congress of People's Deputies. He can serve no more than two consecutive terms. He will be accountable to both the Congress and the Supreme Soviet, although only the Congress can recall him. Gorbachev accepted other limitations in November in an effort to reassure critics that he was not intent on one-man rule. Most notably, the Supreme Soviet will have the right to repeal decrees of the president and the Presidium.

The presidency is not quite as strong as Gorbachev had proposed in other ways as well. The head of state has the right to "report on"—and not "decide"—issues of foreign policy, defense, and security. Moreover, some evidence indicates that Gorbachev had wanted the presidency to have greater legitimacy and independence.

[redacted] said that, at the end of the party conference in June, Gorbachev told his party allies that he wants to be perceived as the leader of the USSR and that as General Secretary he is really only the leader of the 20 million party members.

Although at the party conference Gorbachev himself proposed that the Congress of People's Deputies elect the president, Burlatskiy's "trial balloon" called for direct election by the general population. If Burlatskiy was reflecting Gorbachev's views, it would appear that Gorbachev made a major concession. Direct popular election would have markedly increased the legitimacy of the presidency and helped insulate Gorbachev from a party coup, since it would have taken a national recall to remove him constitutionally. There is no legal requirement that the general secretary serve as president, so Gorbachev's removal from the top party spot would not necessarily cost him the leading state position, although it is certainly likely that the Politburo would move to deprive him of that power base as well. Now the president can be removed at the annual Congress meeting, or at an extraordinary session, which can be called in six different ways. [redacted] told the [redacted] that Gorbachev had been forced to jettison the idea of direct election in order to gain the support of regional party leaders unwilling to risk their own positions as party first secretaries in popular voting for soviet chairmen. Gorbachev apparently could not uncouple the presidency from the lower levels of the state system

New Representative Institution

Consciously drawing on the Leninist precedent of the Congress of Soviets, Gorbachev's scheme creates the 2,250-member USSR Congress of People's Deputies as the new "supreme organ of state power." (Figure 4, the foldout at the end of this paper, compares the old and the new state structures.) In several ways, the Congress takes over the form and functions of the current Supreme Soviet. The Congress is elected once every five years, and 1,500 deputies are chosen under the old scheme: 750 from electoral districts based on population and 750 from electoral districts determined by national-territorial units. The Congress formally has the ultimate authority in state matters affecting the entire Soviet Union, such as amending the USSR Constitution, deciding territorial issues and border changes, and ratifying long-term economic plans

In several important ways, however, the Congress will differ from the old Supreme Soviet. It will be a unicameral body and have an additional 750 deputies chosen by legally recognized "all-union public organizations," such as the party, trade unions, and the Komsomol. It will meet routinely only once a year. Most important, it will have responsibility for electing the president and the Supreme Soviet and for approving the president's appointments to the Constitutional Oversight Committee

The creation of the Congress was a blow to reformers' hopes for direct popular election of the president and the Supreme Soviet; in their opinion, it only added an unnecessary layer of bureaucracy between the voters and the real legislators and opened the door for official manipulation of the membership of the Supreme Soviet. In *Izvestiya*, Boris Kurashvili condemned the Congress as "an artificially conceived organ more in the nature of a rally than a working organ." Andrey Sakharov argued that the old system was in theory more democratic, since there was no indirect election of legislators. In mid-February 1989 Yel'tsin called for direct election of both the Supreme Soviet and the president

The absence in the party conference's theses of the proposal to create the Congress may indicate that Gorbachev subsequently elaborated the idea as a concession to party leaders and institutional officials wanting to sit in the new Supreme Soviet but unwilling to submit to direct election. He may also have seized on the idea as a way of buttressing his ideological position. By keeping the Congress in theory as the supreme state authority, Gorbachev could streamline the Supreme Soviet and still maintain the ideologically important Leninist notion that state power should ultimately reside in a mass institution composed of popularly elected workers and not professional politicians

Public Organizations Allocated Deputies in the Congress of People's Deputies *

Communist Party of the Soviet Union	*100*
All-Union Central Trade Union Council	*100*
Cooperative organizations	*100*
Collective Farms Council (58)	
Fisheries Collectives Association (2)	
Union of Consumer Cooperatives (40)	
Komsomol	*75*
Committee of Soviet Women	*75*
All-Union Council of War and Labor Veterans	*75*
Scientific workers organizations	*75*
Academy of Sciences (20)	
Academy of Agricultural Sciences (10)	
Academy of Medical Sciences (10)	
Academy of Pedagogical Sciences (5)	
Academy of Arts (5)	
Union of Scientific and Engineering Societies (10)	
Union of Inventors (5)	
Creative unions	*75*
Union of Architects (10)	
Union of Journalists (10)	
Union of Cinematographers (10)	
Union of Composers (10)	
Union of Writers (10)	
Union of Theater Workers (10)	
Union of Artists (10)	
Union of Designers (5)	
Other public organizations	*75*
Voluntary Society for the Promotion of the Army, Aviation, and Navy (15)	
Union of Red Cross/Red Crescent Societies (10)	
Znaniye Society (10)	
Soviet Peace Foundation (7)	
Society Campaigning for Sobriety (1)	
Sporting organizations (3)	

* *Complete information on the total number of deputies distributed to public organizations will not be available until after 5 April.*

During the nationwide debate on the draft laws, reformers also strongly opposed the notion of permitting public organizations to elect deputies. Many people charged that it violated the principle of equal, direct, and universal sufferage, because members belonging to such organizations would get to vote for more than one deputy. One [redacted] confided [redacted] that because of his many memberships he will get to vote five different times for deputies to the Congress. Reformers also criticized the apparently arbitrary determination of which organizations would be given representation in the Congress. Members of informal groups expressed the fear that the party's traditional dominance of the organizations allotted deputies would give the party too great a presence in the Congress. Nationalists in non-Russian republics objected to the notion of "all-union" organizations, since it ruled out formal electoral participation by republic-based popular fronts. They also feared that the nature of national organizations—which are centered mostly in Moscow—would lead to the overrepresentation of Russians in the Congress and the Supreme Soviet.

A Standing Parliamentary Body

The transformation of the current Supreme Soviet into "the standing legislative, administrative, and monitoring organ of USSR state power" significantly advances Gorbachev's goal of professionalizing the state system. The new Supreme Soviet will still have two houses—the Soviet of the Union and the Soviet of Nationalities—but each will have only 271 deputies, and the full Supreme Soviet will meet for sessions of three or four months in spring and fall. Moreover, the two houses will have clear areas of competence: the Soviet of the Union will handle such all-union matters as the economy, legal rights, foreign policy, and national security; the Soviet of Nationalities will be primarily responsible for interethnic issues. The law now forbids members of the Council of Ministers from being deputies of the soviet to which they are subordinate. As a result, with the exception of the Premier, top government officials are now excluded from belonging to the Supreme Soviet and its commissions.

The constitution gives the new Supreme Soviet the combined formal powers of the old Supreme Soviet and the Presidium, which is reduced largely to an administrative status. The new Supreme Soviet will be responsible for:

- Ratifying appointments to the Council of Ministers.
- Appointing top military leaders, including the Defense Council.
- Ensuring the uniformity of laws throughout the USSR.
- Implementing laws regulating the national economy.
- Submitting to the Congress state economic plans and monitoring implementation of the plan and budget.
- Supervising national security issues, including ratifying or abrogating treaties, granting foreign aid, mobilizing troops and declaring war, and deciding on the use of troops outside the USSR.
- Repealing orders and decrees of the president and Presidium.
- Monitoring resolutions and orders of national and republic governments.

At the party conference Gorbachev tried to preempt the objections of orthodox party members to the idea of a professional legislature by pointing to the Leninist precedent of the Central Executive Committee, but he eventually had to make some concessions that could affect the professionalization of the Supreme Soviet. Deputies will be elected by the Congress for five-year terms. The draft laws published in late October stipulated that up to 20 percent of the membership of the Supreme Soviet could be "renewed" annually. However, the final version of the law states flatly that there will be a 20-percent turnover rate but does not specify how this will be done. Reformers fear that the leadership will manipulate the rules of the annual rotation to remove troublesome deputies. Gorbachev had also proposed that members of the Supreme Soviet devote their full attention to state work. The draft laws stipulated the release of deputies from their other jobs while attending the Supreme Soviet sessions or working for one of its standing commissions, but the final law said only that the deputies "may be released." Proponents of a professional legislature believe that this will retard the development of a body of deputies with legislative experience and an institutional identification with the state system.

More Democratic Elections

The new law on state elections introduces numerous reforms designed to open up the process of choosing deputies to the Congress of People's Deputies. Key provisions applauded by reformers:

- Liberalize the rules for nominating candidates.
- Enhance the power of central and district electoral commissions to monitor and publicize elections.
- Guarantee public and media representatives access to official proceedings of elections, including the counting of ballots.
- Permit candidates to publish campaign platforms, provided they do not contradict Soviet laws.
- Permit candidates to form campaign committees of up to 10 "agents."

Gorbachev suffered a major setback in not obtaining provisions requiring multicandidate ballots, which regional and local party officials reportedly feared as a threat to their power. Gorbachev had endorsed electoral competition at the January 1987 "democratization" plenum and introduced much publicized experimental reforms during elections to local soviets in June 1987. At the party conference he called for competitive selection of candidates and the final resolution approved the notion of more candidates than seats. The draft laws published in October contained even stricter language, saying that ballots "as a rule" are to contain more candidates than seats. But the final version of the law said only that "ballots can carry any number of candidates." This revision gives local officials considerable leeway to manipulate elections, especially as the center relaxes its traditionally strong hold on the process

Controversy and Resistance

Although most of the public criticism of Gorbachev's restructuring plan diminished once it was enacted into law, many of the issues raised during the debate over the draft laws remain. Elements of the state restructuring plan have drawn fire from both conservatives

and reformers. Party traditionalists are concerned that Gorbachev's reforms threaten to upset the traditions of Soviet decisionmaking and also to bring back elements of the pre-1917 "bourgeois parliamentarianism" that the Bolsheviks had overthrown. Reformers, on the other hand, argue that the reforms do not go far enough in creating viable democratic institutions capable of competing with the party and government. Some, like Boris Yel'tsin and Andrey Sakharov, have openly criticized what they view as antidemocratic features of Gorbachev's plan.

At the national level, resistance to the restructuring scheme has centered on three key issues:

- *Presidential powers.* Both orthodox party members and reformers fear that Gorbachev's proposals to upgrade the presidency could lead again to one-man rule. For party traditionalists, this would violate the tradition of collective leadership established in the post-Stalin days. It also potentially reduces the ability of the the conservative party apparatus—well-represented in the Central Committee—to block or severely curtail Gorbachev's reform program. Reformers are similarly concerned that the new scheme concentrates too much power in a position without enough checks on it, but mainly out of fear that someone other than Gorbachev could grab the office. In response to assertions that the reforms only provide a constitutional basis for powers Gorbachev already possesses as General Secretary, Kurashvili wrote in *Izvestiya* that only a multiparty system or a true parliament can provide a real safeguard against an authoritarian leader.

- *System of representation.* Traditionalists fear that the creation of the Supreme Soviet signals a move toward a system of "Western-style democracy," in which groups outside party control will be given a forum for their views. However, reformers fear that the two-tier system of election will permit the traditional political establishment to continue to dominate the representative bodies. They are apprehensive that guaranteed representation for public organizations will be a vehicle for easing top officials into the Congress, which will then act as a "filter" to keep radical reformers out of the Supreme Soviet. They also argue that, without direct election of the presidency and the Supreme Soviet, neither institution can be truly accountable to the people.

- *Electoral competition.* Party conservatives are concerned that completely opening up the electoral process will threaten their positions throughout the political system. Regional party officials in particular are worried about the fall elections of deputies to local soviets, especially if Gorbachev holds to his proposal that party first secretaries stand for election as soviet chairmen. Reformers are dismayed by the success that traditionalists had in watering down the new election law. They applaud the liberalization of the nominating process but are angry that the process of registering candidates—whereby the party has traditionally winnowed the field down to one candidate—has not been freed from official manipulation. Reformers are also disappointed that a provision requiring deputies to reside in their constituencies was not enacted, because that would have ended the practice whereby Moscow-based officials are given safe seats all across the country.

Outcry From the Republics

By far the most negative reaction to Gorbachev's plan has come from the non-Russian republics. At the party conference Gorbachev connected the restructuring of the political system with a reconsideration of the USSR's federalist approach to center-periphery relations. As a result, when the draft laws were published in October, there was great disappointment and anger in many republics—especially in the Baltics—that the proposed constitutional amendments not only did not address the issue of federalism, but also appeared to contain features designed to limit republic sovereignty. Both nationalist activists and more cautious republic party and government officials openly expressed their concern that the reforms would centralize power in the national state system and undercut Moscow's previously stated plans to devolve considerable economic and political power to the republics.

The lead in opposing the draft laws was taken by Estonia, where concerned republic officials and representatives of the newly formed popular front joined forces. On 29 October the popular front called upon Gorbachev to remove the draft laws from the Supreme Soviet's agenda and establish a commission to formulate new constitutional changes. On 9 November a delegation—including republic president Ryuytel', then party ideology chief Toome, and a popular front leader—presented the Estonian case in Moscow to Luk'yanov, who was heading the subcommittee responsible for suggesting revisions to the draft laws. The protest culminated on 16 November, when the Estonian Supreme Soviet voted to declare its power of veto over all-union legislation and to reject the draft laws altogether. Although no other republic legislatures were as daring, varying degrees of protests were raised by supreme soviets in Latvia, Lithuania, Armenia, and Georgia.

Stung by the criticism, Gorbachev offered a series of conciliatory gestures to win a temporary truce and secure passage of his state reform program. He publicly admitted that the draft laws had been hastily composed in parts and offered assurances that there had been no intention of infringing on the rights of the republics. Declaring that restructuring the Supreme Soviet was only the first stage in overhauling the state system, Gorbachev promised that the second stage would focus on the rights of the union republics and announced that the long-awaited Central Committee plenum on nationalities would be held in summer 1989. In mid-November, Politburo members Chebrikov, Medvedev, and Slyun'kov personally visited the Baltic republics to reinforce the message. Finally, at the 29 November–1 December Supreme Soviet session, Gorbachev introduced a series of revisions into the draft laws that were aimed at mollifying the non-Russian republics, including increased representation of non-Russian republics in the Soviet of Nationalities, guaranteed representation on the new Constitutional Oversight Committee, and a requirement that the Presidium would have to consult with a republic presidium before declaring martial law in the territory.

The Current Election Campaign

The current campaign to elect deputies to the Congress—the first election conducted under the new rules—has revealed the dilemma facing Gorbachev as he tries to open up the system to input from previously unrepresented groups while he attempts to avoid a substantial erosion of the party's leading role in decisionmaking. The party's effort to pursue the contradictory goals of trying to partly control the election process from above while encouraging democratic participation from below illustrates a tension over political reform that may well emerge again as the state restructuring scheme unfolds.

The party's traditional heavyhanded orchestration of the election process was much in evidence during the nomination and registration of candidates. At the national level, the leadership protected its top members from competition and ensured the election of key supporters. In January Gorbachev called on the Central Committee to nominate only 100 Politburo-endorsed candidates for the 100 seats allocated to the party, including 11 of the 20 full and candidate Politburo members and all the members of the Secretariat. This slate was elected at the 15 March plenum, although not unanimously. All the full and candidate Politburo members received a number of negative votes of the 641 ballots cast. For example, 78 plenum participants voted against Ligachev; 59 against Yakovlev; 25 against Zaykov; and 10 against Premier Nikolay Ryzhkov. Gorbachev received 12 negative votes.

Top leaders not based in Moscow were assigned to run in safe territorial districts, although not without incident. Russian Republic president Vorotnikov was registered in Voronezh—probably to avoid direct competition with Boris Yel'tsin, who is running in Moscow's prestigious national-territorial district—at the expense of radical economist Gavriil Popov, who protested that the authorities had unfairly withdrawn his nomination. The registration of Ukrainian party

chief Shcherbitskiy to run unchallenged in Dnepropetrovsk sparked protests in Kiev. At the regional and local levels, many party organizations followed the center's lead and manipulated the rules to protect their representatives from electoral competition. Almost 27 percent of the territorial electoral districts have only one officially registered candidate. In Kazakhstan, for example, all 17 obkom first secretaries are running unopposed

Most public organizations, including the trade unions, veterans council, and Academy of Sciences, took their cue from the party and nominated only a few more candidates than available seats. In all, 880 candidates—of whom 88 percent are party members—were nominated for the 750 seats set aside for public organizations. A handful of organizations, however, including the Komsomol, offered a genuine choice, and the Soviet Peace Committee took the unprecedented step of electing a churchman—the Moscow patriarch—as a national state representative.

Nevertheless, having guaranteed the election of the top leadership and secured representation for influential constituencies, the party has allowed an unprecedented degree of electoral competition and open politicking. According to official statistics, 951 districts—63 percent of the total—will have two candidates, and 164 districts will have three or more. After a series of often raucous registration meetings, all 27 districts in Moscow registered multicandidate slates; one ballot will carry 12 names. In Leningrad 12 of 14 districts are being contested

The relaxation of central control has been felt most strongly in the non-Russian republics, especially in the Baltics, where republic authorities are apparently taking the electoral reforms seriously and permitting nationalist groups to challenge official candidates:

- Officials in Estonia registered all 200 nominees in the republic's 36 districts. The republic's party leader, premier, and KGB chairman all face competition. The local popular front claims to have fielded candidates in all the districts.

- In Lithuania there are 234 candidates for 42 seats, and the popular front is backing candidates in at least half the districts. Party chief Brazauskas faced the probability of defeat until a popular front candidate withdrew his nomination, citing his group's decision not to weaken Brazauskas vis-a-vis his more conservative opponents in the Lithuanian party.

- Latvian authorities registered 180 candidates for the 40 available seats. The republic's party leader, premier, and president are all being challenged.

Could the New State Institutions Be Effective?

There are still many uncertainties about the powers and procedures of the new state institutions. Gorbachev and Luk'yanov appear to be in charge of working out the details, but it is not clear how much control they ultimately have and what their intentions are. Nothing definitive is available yet on a number of crucial issues that will indicate whether the Supreme Soviet will be given the wherewithal to serve as a genuine "parliament" or whether it will be relegated again to a ceremonial status, dominated by the party or perhaps manipulated by a strong president

Gorbachev's public silence is reminiscent of the situation before the party conference. He may be planning to seize the initiative at the Congress's first convocation by introducing a complete package of procedural rules and organizational regulations and allowing little room for discussion, much as he did at the party conference. The lack of information may also indicate that many details remain to be worked out. [ ] [ ] said [ ] program for political reform and that many elements have been crafted ad hoc. Soviet officials have been openly seeking information from the United States, England, and West Germany on how legislative committees operate. In late January [ ] [ ] told [ ] that organizational work was under way on the Supreme Soviet's permanent commissions—which review proposed legislation, question ministerial officials, and prepare laws for the deputies' consideration—but that major issues of structure, size, and function have yet to be decided.

Figure 3. Presidential politics—Gorbachev style

Whether state institutions remain largely ceremonial, rubberstamp bodies or become genuine legislative and executive organs depends not on the USSR Constitution, but on the willingness and ability of the political leadership to bring about these changes. As the new state institutions get organized in the coming months, there will be opportunities for both proponents and opponents of the reforms to try to shape them to serve their interests. The fleshing out of particular issues will go a long way toward determining how the new system works:

- *The role of the president.* It is still unclear whether Gorbachev wants to work within a more democratic state system or whether he is attempting merely to acquire another weapon in his political arsenal. The new laws create a strong executive presidency but do not clarify the office's role vis-a-vis the Supreme Soviet over which he formally presides. Although the Supreme Soviet is now empowered to repeal his orders, there is no formal arrangement for holding the president accountable. He could be recalled by the Congress at any time—either at its annual meeting or at an extraordinary session, which the Supreme Soviet can summon—but there are no other built-in checks on presidential powers. Gorbachev may not be willing to wait for a cumbersome and perhaps critical legislative process to enact his proposals. The possession of a personal staff will give him a real advantage in preparing reports and position papers and could permit him to dominate the Supreme Soviet's work. Gorbachev may also prefer to avert potential challenges by using his authority to issue executive orders to circumvent the Supreme Soviet's review of suggested laws.

- *The size of the legislature.* The streamlining of the Supreme Soviet to 542 members marks progress toward reformers' goals of creating a standing parliament capable of meaningful deliberation of pending laws. This ability will be enhanced if the two houses sit and debate independently and not jointly, as is now often the case.

- *The composition of the legislature.* For a parliament to be effective, its members must be free to challenge proposed legislation. Yet two factors may inhibit the Supreme Soviet from exercising such a review function. First, a large percentage of its members will continue to belong to the party; over 85 percent of the nominees to the Congress are party members—a greater percentage of party members than in the old Supreme Soviet. Although some outspoken reformers like Boris Yel'tsin and nationalists from the Baltic republics—over 75 per cent of whom also belong to the party—are likely to enter the Congress and Supreme Soviet, the majority of party deputies may not be willing to violate the rules of democratic centralism and publicly challenge party-approved proposals. Second, the electoral rules governing Supreme Soviet membership are open to manipulation and could be used to screen out or remove troublesome deputies. Most notably, there are no criteria for identifying which Supreme Soviet deputies must give up their seats to comply with the rule requiring an annual turnover of 20 percent in Supreme Soviet membership.

- *Permanent functioning.* For the Supreme Soviet to develop an institutional weight within the political system, it must acquire a permanent presence at the center. As a result, a major battle could be fought

over defining the length and nature of Supreme Soviet sessions. Reformers will want the new legislature to sit continuously for the three- to four-month sessions in spring and fall stipulated in the new laws. They are likely to push for deputies to be in Moscow full-time to pursue their responsibilities. Orthodox party members—particularly regional officials worried about their positions back home, but also institutional leaders unwilling to serve as legislators—are likely to move to have the Supreme Soviet meet only periodically during its session and to leave substantive work to the staff of its standing commissions.

- *Full-time politicians.* To be effective, state representatives must also concentrate on their legislative duties. A major test of Gorbachev's commitment to a more professional legislature will come over the decision to release Supreme Soviet deputies from their other jobs and to pay them adequate salaries to live in Moscow and devote their attention to state affairs. His initial proposal that deputies be freed from other posts was watered down in the final law, which now says only that deputies may be released. If most deputies opt to retain their previous occupations and devote a large percentage of their time to other matters, the Supreme Soviet will be hard pressed to build up a body of legislative experts committed to asserting the state's interests in political affairs.

- *Permanent standing commissions.* The responsibilities and operation of the standing commissions will provide the framework for the substantive work of the deputies and help determine their degree of involvement in formulating legislation and monitoring its implementation. In the old Supreme Soviet the standing commissions met only twice a year and reviewed already prepared legislation. Reformers want to extend the reach of the Supreme Soviet by creating new commissions or broadening the scope of those already in place and empowering them to meet regularly for substantive discussions. Available evidence indicates that several new commissions may be formed to take on the government bureaucracy, including new commissions on emigration, religion, international affairs, security and defense, energy, youth, women, and the environment.

  Reformers are also calling for standing commissions to supervise the KGB, MVD, and Defense Ministry. Since top government bureaucrats are now excluded from the Supreme Soviet, deputies may be able to take a more aggressive role in supervising the ministries' activities.

- *The formation of a support staff.* If the Supreme Soviet is to act as a genuine legislature, it must develop a support apparatus capable of providing deputies with independent research and position papers. In the old state system, standing commissions often had only two or three permanent staff members, but evidence indicates that in the new Supreme Soviet each commission may have as many as 10 full-time staffers. However, several reformers have expressed concern that the party apparatus—which is being reduced in size under Gorbachev's reorganization scheme—will simply reconstitute itself in the Supreme Soviet apparatus and inhibit the development of a staff concerned for the state's interests.

- *Legislative initiative.* To act as a true parliament, the Supreme Soviet will have to be able to propose legislation without waiting for instructions from the party or government. Kurashvili has estimated that under the new system deputies will propose half of all laws.

Outlook

Gorbachev appears committed to giving state legislative institutions a genuine measure of power and the Soviet population some degree of influence in selecting their official representatives, but he wants to achieve these objectives within the framework of a single-party system in which much power remains concentrated in the hands of a small group of top officials. His political skills will be severely tested as he seeks to implement reform while averting both an unmanageable increase in grassroots citizen activism

that challenges the party's leading role and efforts by recalcitrant party officials to sabotage the restructuring. He will face significant obstacles along the way:

- *Party resistance.* The Politburo and the Central Committee are almost certain to oppose the transfer of substantial power to the state institutions. Not only would that markedly increase Gorbachev's personal power and undermine their ability to influence policy, but it would also threaten the party's position as the dominant force within the political system. For the foreseeable future, Gorbachev will have to fight and win his policy battles within the Politburo. Although he may use the Supreme Soviet to put pressure on party officials opposed to his reform programs, Gorbachev will have to be sure of his position within the party. C
  told [ ] in mid-February that Gorbachev is likely to appoint a party "second secretary"—a vacant post since Gorbachev maneuvered Ligachev out of it last fall—if the presidency takes up too much of his time.

- *Bureaucratic resistance.* The government will be highly resistant to giving up its powers to the newly activated state bodies. With its top bureaucrats excluded from the Supreme Soviet and held accountable to the state at least once a year, the Council of Ministers is likely to resent efforts by the standing commissions to rein in its authority and more rigorously supervise its work. Yet C
  confided [ ] that they will welcome the new system, provided that it succeeds in removing the party from direct economic management.

- *Opposition within the state.* Although Gorbachev obtained the state structure that he proposed at the party conference, he may find in the course of activating it that he cannot manage the new institutions as easily as he would like. Gorbachev is unlikely to have any challenge to his election as president, although there is no requirement that the Congress consider only the General Secretary in choosing the chairman of the Supreme Soviet. If he is too heavyhanded in managing the process of electing the Supreme Soviet or is perceived as intent on creating another rubberstamp legislature—albeit in the interests of *perestroyka*—he will increase cynicism about the sincerity of his reform program. After his election to the presidency last fall, *Sovetskaya kul'tura* printed a reader's letter asking why Gorbachev had not submitted to a multicandidate ballot. But if the Congress does not act as a "filter"—as reformers fear—the Supreme Soviet may contain deputies who will mount challenges to his proposals. On several occasions in 1988, deputies openly challenged party-approved legislation. Moreover, the activation of republic supreme soviets in 1988 shows how quickly popular initiative can produce legislative activism. The new Supreme Soviet—particularly the Soviet of Nationalities—may well contain legislators with even more radical reform agendas than Gorbachev is likely to accept. Both Boris Yel'tsin and Baltic nationalists have announced plans to form their own political interest groups if elected to the Congress and Supreme Soviet. Although Gorbachev will have plenty of supporters in the new Supreme Soviet, he may have a difficult time restraining legislative activism by deputies who take his rhetoric about empowering state institutions seriously.

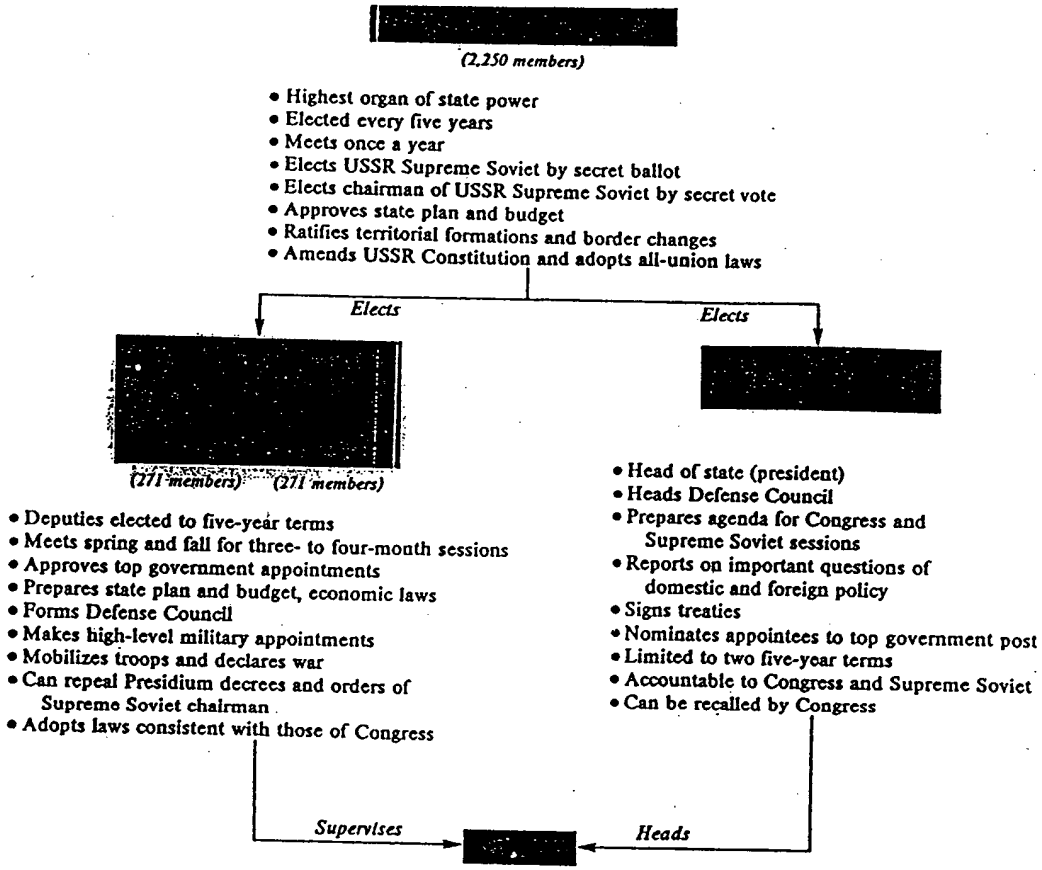
- *Soviet political culture.* Gorbachev will find it easier to change the form of state institutions than to alter several generations of Soviet attitudes toward the political system. If he truly intends for the Supreme Soviet to play a meaningful role in reviewing policy, he will have to overcome deep ideological suspicions within the party about "professional" legislatures that allow diverse political tendencies to articulate their demands. The leadership seems willing to allow a "socialist pluralism" to emerge within a one-party system, and Gorbachev wants to open up the political process to previously unrepresented groups. But he will also have to overcome historic Russian tendencies that have stymied previous attempts at establishing national democratic institutions. On the popular level, Gorbachev must overcome apathy toward politics among some groups while finding a way to control the enthusiasm of citizen organizations that are pushing for an expansion of democracy and reform beyond that which he is willing to allow

Ultimately, Gorbachev's success in transforming the political system will have to be measured over many years. In the short term, however, he may be able to use the revamped state institutional structure to further consolidate his own power and advance his policy agenda. Indeed, there are signs that Gorbachev plans to give the new Supreme Soviet and its components a heavy legislative calendar. In early March 1989 Luk'yanov publicly declared that a law on local government and self-management—a key element in the campaign to reform the local soviets—will be considered at the first Supreme Soviet session. In late January the reform-minded economist Leonid Abalkin—who will enter the Congress as one of the party's 100 deputies—publicly announced that a new comprehensive economic reform plan should be completed soon and considered as one of the first acts of the new Supreme Soviet. Last fall a staff member at the Foreign Affairs Ministry doubted whether Gorbachev would make any important weapon systems procurements until the new legislative mechanism was in place.

Gorbachev is unlikely to get everything he wants as the new state machinery is set up, but he needs to make sufficient progress to maintain the momentum of his political restructuring program. The new laws give him a constitutional framework upon which to build, but Gorbachev's opponents realize what is at stake and are likely to fight hard to prevent the full empowerment of the state system. If Gorbachev holds true to form, he will push hard for substantive changes to his liking, accept some compromises, and then come back for more.

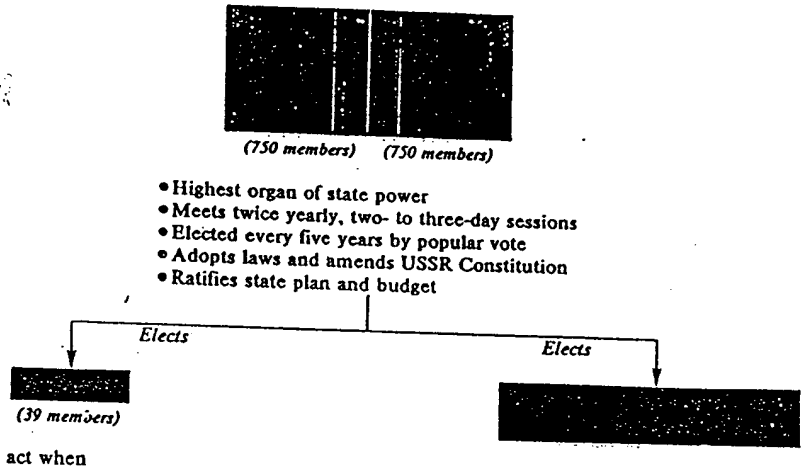
Over the long term, whatever Gorbachev's own intentions about the desired limits of reform, he is setting in motion a process of invigorating the new state institutions that may lead to a radical change in how political business is transacted in the USSR. The new system at least initially will not work in the way Western parliamentary systems operate, but it could constitute a nucleus from which a more pluralistic political system can grow and a significant redistribution of power at the political center take place. As momentum for change increases, the ability of the top leadership to control change will decrease, and at some point *perestroyka* in this area as in others could become irreversible

New National State Structure



New
Change
• New power and functions of state institutions

Figure 4
Old National State Structure



Old state structure